

162191



UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.

Issued by the Department of Transportation on April 4, 2002

**NOTICE OF ACTION TAKEN – DOCKET OST-2001-11063 - 2**

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Applicant: CHARTRIGHT AIR INC.

Date Filed: November 30, 2001

Relief requested: Exemption from 49 USC section 41301 to permit the applicant to conduct, using small equipment (see below), charter operations, carrying persons, property and mail, between Canada and the United States and other charters pursuant to 14 CFR Part 212.

Applicant representative(s): Don Twiddy, 905-671-3962

Responsive pleadings: None

**DISPOSITION**

Action: Approved.

Action date: April 4, 2002

Effective dates of authority granted: April 4, 2002, through April 4, 2003.

Basis for approval: United States-Canada Air Transport Agreement

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated: Standard exemption conditions.

Special Conditions/Partial Grant/Remarks: We found that Chartright is operationally and financially qualified to conduct the operations it proposes, and that it is substantially owned and effectively controlled by citizens of Canada. In the conduct of these operations, Chartright must adhere to all applicable provisions of the U.S.-Canada Agreement. Also, the FAA has advised us that it knows of no reason to withhold this authority. In the conduct of the charter operations described above, Chartright may only use aircraft designed to have a maximum passenger capacity of not more than 60 seats and a maximum payload capacity of not more than 18,000 pounds. Moreover, Chartright may carry Third and Fourth Freedom charter traffic without prior Department approval. Other charter operations to/from the United States under this authority, however, are subject to prior approval under 14 CFR Part 212.

**Action taken by: Paul L. Gretch, Director  
Office of International Aviation**

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy; (2) the applicant was qualified to perform its proposed operations; (3) grant of the authority was consistent with the public interest; and (4) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted/deferred/dismissed, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within seven (7) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

*An electronic version of this document is available on the World Wide Web at:  
[http://dms.dot.gov/reports/reports\\_aviation.asp](http://dms.dot.gov/reports/reports_aviation.asp)*